

CLERK OF THE
DISTRICT COURT
KRISTIE LEE BOELTER

2015 MAY 6 PM 4 46

FILED

BY _____
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ARNDORFER LAW FIRM, P.C.
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FILED

JUN 08 2015

Attorney for Plaintiffs.

Clerk, U S District Court
District Of Montana
Billings

MONTANA THIRTEENTH JUDICIAL DISTRICT, YELLOWSTONE COUNTY

Case No. DV 15-0570

SHERRY FLOR, as personal
representative of the Estate Of
Richard Giles Flor,

JUDGE

RUSSELL C. FAGG

Plaintiff,

CV-15-47-BLG-SPW-CSO

vs.

**COMPLAINT AND DEMAND FOR
JURY TRIAL**

CORRECTIONS CORPORATION OF
AMERICA, SHELBY PRISON,

Defendants.

120/108419

INTRODUCTION

1. Plaintiff is a duly appointed personal representative of the Estate of Richard Flor.

2. The defendant is a corporation authorized to do business in the state of Montana which is engaged in the business of incarcerating people by contract with governmental entities.

3. The defendant does business in Montana as Crossroads Correctional Facility in Shelby, MT., hereinafter CCA.

Complaint

ARNDORFER LAW FIRM, P.C.

c/kp

1 4. Their business address and Agent for Service of Process is in
2 Billings, MT.

3 5. On April 19, 2012, Richard Flor was sentenced to a term of sixty
4 (60) months in Federal Prison.

5 6. Richard Flor had numerous physical health issues prior to his
6 arrest, and part of his known problems.

7 7. Richard Flor was eventually transferred to "CCA", in Shelby,
8 Montana.

9 8. While incarcerated in CCA, Richard Flor made numerous medical
10 requests for medical treatment, by writing medical request "kites" to employees
11 of CCA.

12 9. His family also called and notified the staff and administration
13 numerous times he was suffering from extreme pain and was disabled.

14 10. While incarcerated at the defendant's facility Richard Flor suffered
15 from cancer, undiagnosed, and was unable to properly care for himself or feed
16 himself.

17 11. Despite his obvious distress his care was left to inmates as the
18 staff refused and failed to get any proper medical care or take care of Mr. Flor.

19 12. Mr. Flor was at the facility only until such time as a bed date was
20 made at a medical facility in the federal system. Because of this the defendant
21 refused to treat this necessary medical issues and instead left him to suffer
22 without care.

1 13. Mr. Flor was finally transported from the facility and was flown to
2 Las Vegas Nevada as a temporary stop on his journey to the medical facility.

3 14. Richard Flor died on/or about August 29, 2012, at the University
4 Medical Center, in Las Vegas, Nevada as he was rushed to the hospital after
5 flying from the defendant's facility from his undiagnosed and untreated cancer.

6 15. The defendant had a duty to provide reasonable care for Richard
7 Flor.

8 16. The defendant breached its duty to provide reasonable care when
9 Richard Flor and his family continuously requested and demanded proper
10 medical care but he was denied treatment.

11 17. That the treatment was so outrageous that punitive damages are
12 needed to teach CCA not to treat people in this manner.

13 WHEREFORE the plaintiff respectfully requests that the plaintiff be
14 awarded damages as follows:

15 1. Damages for survival action and wrongful death because of
16 such negligence.

17 2. For punitive damages.

18 3. For costs of suit and for such other and further relief as
19 court deems just.

20 **DEMAND IS HEREBY MADE FOR JURY TRIAL**

1 Dated this 6 day of May, 2015.

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BRAD L. ARNDORFER